



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

November 24, 2010

Mary Loveall, Treasurer
Commonwealth Brands, Inc, Employee PAC
900 Church Street
P.O. Box 51587
Bowling Green, KY 42101

**Response Due Date:
December 29, 2010**

Identification Number: C00455600

Reference: October Quarterly Report (7/1/10-9/30/10)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 items:

1. Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (first name, middle name or initial, if available, and last name; initials for first and last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

Further, the attached employer and occupation entries appear on your report and are not considered acceptable.

You must provide the missing information or clarify the information provided. If you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

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COMMONWEALTH BRANDS, INC, EMPLOYEE PAC

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First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide/clarify the information or provide a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

2. Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a non-multicandidate political committee and its affiliates, from making a contribution to a candidate for federal office in excess of \$2,400 per election. Please refer to the Campaign Guide for information on how a committee qualifies for multicandidate status.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

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If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

If your committee has met the criteria for multicandidate status, please file FEC FORM 1M "Notification of Multicandidate Status" with the Commission. The treasurer must file FEC FORM 1M no later than ten (10) calendar days after qualifying for multicandidate committee status. 11 CFR §102.2(a)(3)

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1140.

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Sincerely,



James McAllister
Campaign Finance Analyst
Reports Analysis Division

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Excessive Contributions to a Candidate/Committee

Recipient Name	Date	Amount	Election	Report
Conway for Senate	1/20/10	\$2,400.00	G-2010	2010 April Quarterly
Conway for Senate	9/24/10	\$2,600.00	G-2010	2010 October Quarterly
Conway for Senate	9/24/10	\$2,400.00	G-2010	2010 October Quarterly
The Richard Burr Committee	5/1/09	\$1,000.00	G-2010	2009 Mid Year
The Richard Burr Committee	7/8/09	\$1,500.00	G-2010	2009 Year End
The Richard Burr Committee	7/21/10	\$1,000.00	G-2010	2010 October Quarterly
The Richard Burr Committee	7/21/10	\$1,500.00	G-2010	2010 October Quarterly
Ben Chandler for Congress	7/15/10	\$2,500.00	G-2010	2010 October Quarterly
Spratt for Congress Committee	7/23/10	\$2,500.00	G-2010	2010 October Quarterly
Spratt for Congress Committee	7/23/10	-\$2,500.00	G-2010	2010 October Quarterly
Spratt for Congress Committee	7/23/10	\$2,500.00	G-2010	2010 October Quarterly

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Inadequate Employer/Occupation Entries

Employer	Occupation
COMMONWEALTH BRANDS	(blank)
COMMONWEALTH BRANDS	ASM
COMMONWEALTH BRANDS	AT
COMMONWEALTH BRANDS	BDM
COMMONWEALTH BRANDS	CSDISMGR
COMMONWEALTH BRANDS	DIVSD
COMMONWEALTH BRANDS	DSD
COMMONWEALTH BRANDS	KAM
COMMONWEALTH BRANDS	NAM
COMMONWEALTH BRANDS	NAM-MIDA
COMMONWEALTH BRANDS	NAM-NORT
COMMONWEALTH BRANDS	NAMOTP
COMMONWEALTH BRANDS	NAM-WES
COMMONWEALTH BRANDS	NPDN-WES
COMMONWEALTH BRANDS	PAVPSALE
COMMONWEALTH BRANDS	PDM
COMMONWEALTH BRANDS	SRSAANA
COMMONWEALTH BRANDS	TM
COMMONWEALTH BRANDS	VPIS
COMMONWEALTH BRANDS	VPREG
COMMONWEALTH BRANDS	WAREMGR

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